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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,910	02/12/2001	Michael J. Detlef	KLR 7146.062	3200

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EXAMINER

WILLETT, STEPHAN F

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,910

Applicant(s)

DETLEF, MICHAEL J.

Examiner

Stephan F Willett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 3-4, 7, 10, 12, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 states "providing said content to ... said recipient" is unclear since content is provided to either the device or the recipient.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U. S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-6, 9, 11-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Lazaridis et al. with Patent Number 6,463,464.
5. Regarding claim(s) 1, Lazaridis teaches data transfer to a 3rd device. Lazaridis teaches registering or configuring a recipient/user and at least a device/mobile, col. 6, lines 63-67 with a server as and "where the redirector software is operating at the server", col. 9, lines 27-30. Lazaridis teaches providing a identifier for a recipient as user profile, col. 9, line 43 and a device

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as a FAX, col. 6, lines 17-20, 38-40 to a content provider or redirector software, col. 5, lines 48-49. Lazaridis teaches identifying desirable content, col. 7, lines 15-18. Lazaridis teaches providing the content to the server, col. 7, lines 58-59. Lazaridis teaches said server providing the content to the device, col. 8, lines 39-43 and recipient, col. 8, lines 4-5.

6. Regarding claim(s) 2-4, Lazaridis teaches registering protocols, col. 10, lines 63-65 and access techniques as types of devices, col. 7, lines 64-67.

7. Regarding claim(s) 5, Lazaridis teaches recipient/user identifier as a "particular user", col. 9, lines 43-44.

8. Regarding claim(s) 6, Lazaridis teaches a device identifier as "voice number", col. 8, lines 3-4.

9. Regarding claim(s) 9, Lazaridis teaches the recipient indicating desired content, col. 8, lines 10-13.

10. Regarding claim(s) 11-12, Lazaridis teaches said server providing the content to the device, col. 8, lines 39-43 and recipient, col. 8, lines 4-5.

11. Regarding claim(s) 13, Lazaridis teaches Internet connections, col. 4, lines 43-44.

12. Regarding claim(s) 14, Lazaridis teaches a pager, col. 18, line 22.

13. Regarding claim(s) 15, Lazaridis teaches a fax, col. 8, lines 2-5.

14. Regarding claim(s) 16, Lazaridis teaches a mobile device, col. 5, line 47.

15. Regarding claim(s) 17, Lazaridis teaches a phone, col. 6, line 40.

16. Regarding claim(s) 18, Lazaridis teaches an email, col. 7, line 1.

17. Regarding claim(s) 19-20, 26, Lazaridis teaches associating a user profile with an identifier, col. 9, lines 41-43 and providing the profile to the server, col. 9, lines 48-58.

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18. Regarding claim(s) 21-23, Lazaridis teaches providing content from a plurality of content providers, col. 7, lines 1-10.

19. Regarding claim(s) 24-25, Lazaridis teaches formatting or repacking content suitable for the device, col. 8, lines 47-53 in a plurality of formats or types, col. 10, lines 23-28; col. 12, lines 9-13.

20. Regarding claim(s) 27, 29-30, Lazaridis teaches user profile preferences such a time, periods of time, days, schedules, col. 11, lines 40-41, 62-63.

21. Regarding claim(s) 28, Lazaridis teaches size of message restrictions, col. 13, lines 33-35.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

23. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al. with Patent Number 6,463,464.

24. Regarding claim 8, the Lazaridis patent discloses the method of the preceding claims. The Lazaridis patent does not explicitly disclose the server providing the identifier or name of registered device. However, Official Notice is taken MPEP 2144.03 (a)) that either the client or server can provide the identifier of a device is well known in the art to insure versatility. It

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would have been obvious to one of ordinary skill in the art at the time of the application's invention for either the client or server to name the device to obtain the advantages of a flexible architecture. Therefore, by the above rational, the above claims are rejected.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited. A close review of the references is suggested. A close review of the Owens reference with Patent Number 6,633,630 is suggested. The other references cited teach numerous other ways to perform forwarding of content to diverse device types, thus a close review of them is suggested.


26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (703) 308-5230. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

28. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605.

sfw

September 27, 2004


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER